

**NOTIFICATION OF ENHANCEMENT – POSSESSION OF SCHEDULE III or IV CONTROLLED SUBSTANCE**

Defendant: \_\_\_\_\_, Case No. \_\_\_\_\_

**ELEMENTS**

58-37-8(2)(a)(i): It is unlawful for any person knowingly and intentionally to possess or use a schedule III or IV controlled substance without a valid prescription.

**ENHANCEMENT / PENALTIES**

58-37-8(2)(d): Knowingly and intentionally possessing or using a schedule III or IV controlled substance without a valid prescription is a class B misdemeanor for a first conviction. Upon a second or subsequent conviction of possession of any controlled substance by a person, that person shall be sentenced to a one degree greater penalty.

53-3-220: The Driver License Division shall immediately suspend for six months the driver license of a person convicted of possessing or using a schedule III or IV controlled substance without a valid prescription.

**Minimum / Maximum Sentences**

Class B Misdemeanor:	0 days to 6 months jail	\$0 / \$1,882 fines and surcharges
Class A Misdemeanor:	0 days to 1 year jail	\$0 / \$4,650 fines and surcharges

*I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant